

## **REMARKS**

Applicant is in receipt of the Office Action mailed February 2, 2004. Claims 1 – 5 were pending. Applicant has amended claims 1 – 5, and added claims 6 – 24. Accordingly, claims 1 – 24 remain pending in the application.

Applicant has amended the specification at page 5, line 11.

Claims 1, 2, and 4 were rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant believes these rejections to be moot in light of Applicant's amendments to the claims.

Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as being unpatentable over Barrera, III (USPN 6,247,057, hereinafter "Barrera") in view of Chintakrindi et al. (USPN 6,216,159, hereinafter "Chintakrindi"). Applicant respectfully traverses this rejection.

Barrera teaches a system wherein "the endpoint mapping subsystem 46 maps incoming requests for virtual services from a designated endpoint for that service to other predefined endpoints. The predefined endpoints for the virtual services 42(1) and 42(2) are different than the designated endpoint for the generic service 42. The operating system 40 then binds the endpoints to the various instances 42(1) and 42(2) of the same service 42. As a result, the server can handle concurrent access to multiple virtual services. More particularly, the client request includes a locator ID and an endpoint ID. The mapping subsystem 46 uses the locator ID to identify the virtual service and maps the endpoint ID (which is general for the service type) to a new ID associated with the vital service." (col. 6, lines 25 – 38) Barrera also teaches that a Locator ID may be a server name for the named pipe protocol (NPP), or an IP address for TCP/IP or UDP/IP. (col. 4, lines 55 – 60)

Applicant can find no language in Barrera or Chintakrindi, either separately or in combination, that teaches or suggests “**assigning a unique virtual IP address and virtual hostname to a first application residing on a first computer**,” as recited in Applicant’s amended claim 1. As described above, Barrera teaches that each service may have a locator ID, which may be a server name *or* an IP address.

Applicant’s amended claim 1 further recites “**using the virtual IP address as a local address** to connect the first application to said port,” and “**resolving said virtual hostname to said local address**.” As described above, Barrera teaches mapping an general endpoint ID to a new endpoint ID associated with a specific virtual service, not “**resolving said virtual hostname to said local address**.”

In accordance, claim 1 is believed to patentably distinguish over the cited references. Claims 2 and 7 – 10 is dependent upon claim 1 and are also believed to patentably distinguish over the cited references for at least the same reasons.

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Barrera, in view of Aiken, Jr. et al. (USPN 6,430,622, hereinafter “Aiken”) in further view of Chintakrindi. Applicant respectfully traverses this rejection.

As argued above, Applicant can find no teaching or suggestion in Barrera or Chintakrindi, either separately or in combination, of “**assigning a unique virtual IP address and virtual hostname to a first application residing on a first computer**,” “**using the virtual IP address as a local address** to connect the first application to said port,” and “**resolving said virtual hostname to said local address**.” Likewise, Applicant can find no teaching or suggestion of these elements in Aiken, either separately or in combination with Barrera and Chintakrindi. Accordingly, claim 4 is believed to patentably distinguish over the cited references, along with its newly added dependent claims.

Claim 3 was rejected under 35 U.S.C. §102(b) as being unpatentable over Yu (USPN 5,734,865). Applicant respectfully traverses this rejection.

Yu teaches that “the host system 54 must also configure the local host IP address for virtual network mechanism 100-2 to communicate with the virtual host systems ve0 – ve3. According to the present invention, this may be done by means of separate ‘VIRNET’ directives included in the hosted system (emulator) configuration file clm\_x file. Each VIRNET directive has the following format: VIRNET ve(n) [ctl\_args] where the first argument ‘ve(n)’ specifies the particular virtual network interface mechanism 100 according to ‘n’ which has the values ‘0’ through ‘3’. The remaining arguments include an address, up, and down arguments. The ‘address’ argument corresponds to either a host name or an IP address in the standard dotted decimal notation.” (col. 16, lines 10 – 23).

Applicant’s amended claim 3 recites “**assigning a unique virtual IP address and virtual hostname** that are unique to a first application residing on a first computer.” In contrast, Yu teaches assigning a host name *or* an IP address to virtual network mechanism 100-2 on host system 54.

In accordance, claim 3 is believed to patentably distinguish over the cited references for at least the reasons given above, along with its newly added dependent claims.

Claim 5 was rejected under 35 U.S.C. §102(a) as being unpatentable over Yu in view of Aiken. Applicant respectfully traverses this rejection.

As argued above, Applicant can find no teaching or suggestion in Yu of “**assigning a unique virtual IP address and virtual hostname** that are unique to a first application residing on a first computer.” Likewise, Applicant can find no teaching or suggestion of these elements in Aiken, either separately or in combination with Yu.

Accordingly, claim 5 is believed to patentably distinguish over the cited references, along with its newly added dependent claims.

Furthermore, Applicant's newly added claim 15 recites "**registering the virtual hostname and virtual IP address with a snapshot framework.**" Applicant can find no teaching or suggestion of such a feature in any of the cited references, either separately or in combination. Accordingly, claim 15 is believed to be patentably distinct. Claim 24 recites a similar limitation, and is also believed to be patentably distinct for at least the same reason.

Included herewith is a new Power of Attorney.

## CONCLUSION

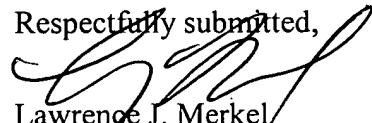
In light of the foregoing remarks, Applicant respectfully submits the application is now in condition for allowance, and an early notice to that effect is requested.

Also enclosed herewith are the following items:

- Return Receipt Postcard
- Please debit the above-identified deposit account in the amount of \$72.00 for fees (\$72 for four claims over 20)
- Power of Attorney

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 50-1505\5760-22700\LJM.

Respectfully submitted,

  
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